

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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A.W. FINANCIAL SERVICES, S.A., as successor :
in interest to TERTIAIRE INVESTMENT, S.A., :

Plaintiff, :

- against - :

07 Civ. 8491 (SHS)

EMPIRE RESOURCES, INC., AMERICAN :
STOCK TRANSFER & TRUST CO., and :
AFFILIATED COMPUTER SERVICES, INC., :

Defendants. :
-----X

STIPULATION AND [PROPOSED] ORDER

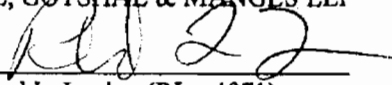
WHEREAS, a copy of the Summons and Complaint in this action was served on Defendant and Crossclaim Defendant Empire Resources, Inc. ("Empire") by service on the New York Secretary of State on October 10, 2007; and

WHEREAS, Empire did not receive actual notice of such service or of the existence of this action until Wednesday, March 5, 2008;

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and among the undersigned counsel, that Empire has until Wednesday, March 19, 2008, to answer or otherwise move with respect to the Complaint herein served by Plaintiff A.W. Financial Services, S.A. and the Crossclaim herein filed by Defendant and Crossclaimant American Stock Transfer & Trust Co.

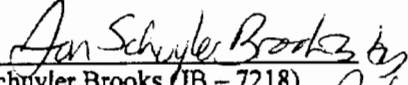
Dated: New York, New York
March 11, 2008

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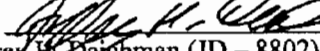
*Attorneys for Defendant and Crossclaim
Defendant Empire Resources, Inc..*

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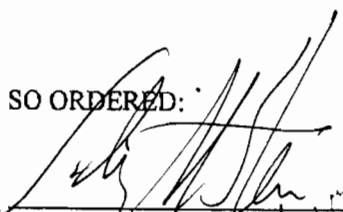
*Attorneys for Plaintiff A.W. Financial
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By: 
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*Attorneys for Defendant and Crossclaimant
American Stock Transfer & Trust Co.*

SO ORDERED:


Hon Sidney H. Stein 3/13/08 Date
United States District Judge